

AMENDED
MINUTES

No. 7527

En Banc

Arizona Supreme Court
Tuesday, August 24, 2021

R-21-0001

RULE 81, RULES OF THE SUPREME COURT

(1)

WOULD AMEND THE ARIZ. CODE OF JUD. CONDUCT, S. CT. RULE 81, TO SPECIFY THAT JUDGES MAY RESPOND TO ALLEGATIONS ABOUT THEIR CONDUCT, INCLUDING ATTACKS ON THEIR REPUTATIONS.

ORDERED: Petition to Amend Rule 81, Rules of the Supreme Court, Arizona Code of Judicial Conduct, Rules 1.2 and 2.10 = ADOPTED as modified, effective January 1, 2022.

R-21-0002

RULE 20, RULES OF FAMILY LAW PROCEDURE

(2)

WOULD AMEND RULE 20 OF THE ARIZ. R. FAM. L. P. TO ADD A NEW (B)(9) ALLOWING THE FILING OF COPIES OF CERTAIN FEDERAL FORMS FOR USE IN INTERSTATE CASES IN LIEU OF FILING AN ORIGINAL.

ORDERED: Petition to Amend Rule 20 Rules of Family Law Procedure = ADOPTED as modified, effective January 1, 2022.

R-21-0009

RULES 32, 42, AND 48 RULES OF THE SUPREME COURT

(3)

WOULD AMEND ARIZ. RS. SUP. CT. 32, 42 (ER 8.3), AND 48 TO STRENGTHEN THE STATE BAR'S MEMBER ASSISTANCE PROGRAM.

ORDERED: Petition to Amend Rules 32, 42 (ER 8.3) and 48 of the Arizona Rules of Supreme Court and Add New Rule 32.1 = ADOPTED as modified, effective January 1, 2022.

MINUTES

No. 7527

En Banc

Arizona Supreme Court
Tuesday, August 24, 2021

R-21-0010
(4)

RULE 16, RULES OF PROTECTIVE ORDER

WOULD ADOPT A NEW RULE 16.1 OF THE ARIZ. R. PROT. ORDER P. PERMITTING THE AMENDMENT OF A PETITION FOR PROTECTIVE ORDER AND SPECIFYING RELATED PROCEDURES.

ORDERED: Petition to Amend Rule 16 of Arizona Rules of Protective Order Procedure = ADOPTED as modified, effective January 1, 2022.

R-21-0012
(5)

RULE 1, SUPREME COURT & RULE 4.1(d), ARCAP

WOULD AMEND SUP. CT. RULE 1 TO ELIMINATE THE REQUIREMENT THAT MULTIPLE COPIES BE FILED OF AN APPLICATION FOR ISSUANCE OF WRIT AND AMEND ARCAP 4.1 TO ELIMINATE THE REQUIREMENT THAT MULTIPLE COPIES BE FILED OF A BRIEF FILED UNDER SEAL.

ORDERED: Petition for the Adoption of Procedural Amendment to the Rules of the Arizona Supreme Court and Arizona Rules of Civil Appellate Procedure = ADOPTED as modified, effective January 1, 2022.

R-21-0018
(6)

RULE 42.1, RULES OF THE SUPREME COURT

WOULD AMEND SUP. CT. RULE 42.1 TO EXPAND THE JURISDICTION OF THE ATTORNEY ETHICS ADVISORY COMMITTEE TO INCLUDE ETHICAL ISSUES RELATING TO LICENSED LEGAL PARAPROFESSIONALS.

ORDERED: Petition to Amend Rule 42.1, Rules of the Supreme Court of Arizona = ADOPTED as modified, effective January 1, 2022.

MINUTES

No. 7527

En Banc

Arizona Supreme Court

Tuesday, August 24, 2021

R-20-0012

(7)

RULES FOR THE FAST TRIAL AND ALT RES PRGM (FASTAR)

WOULD PERMANENTLY ADOPT AND AMEND THE PIMA COUNTY RULES FOR THE FAST TRIAL AND ALTERNATIVE RESOLUTION PROGRAM.

ORDERED: Petition to Permanently Adopt Rules for the Fast Trial and Alternative Resolution Program ("FASTAR") = CONTINUED.

FURTHER ORDERED: Proposed amendments to the FASTAR rules are opened for additional public comment. Comments are due October 15, 2021, and any reply is due no later than October 29, 2021.

R-20-0041

(8)

RULE 12.9, RULES OF CRIMINAL PROCEDURE

WOULD AMEND CRIMINAL PROCEDURE RULE 12.9 TO PERMIT CHALLENGES TO A GRAND JURY PROCEEDINGS UP TO THE BEGINNING OF TRIAL.

ORDERED: Untitled Document (Treated as Petition to Amend Rule 12.9, Rules of Criminal Procedure) = DENIED.

MINUTES

No. 7527

En Banc

Arizona Supreme Court
Tuesday, August 24, 2021

R-21-0004
(9)

RULE 11.4(b), RULES OF CRIMINAL PROCEDURE

WOULD AMEND ARIZ. R. CRIM. P. 11(B) TO REQUIRE DISCLOSURE OF AN EXPERT'S QUALIFICATIONS AND, IF NO EXPERT REPORT IS PREPARED, DISCLOSURE OF A SUMMARY OF THE GENERAL SUBJECT MATTER AND OPINIONS ABOUT WHICH THE EXPERT IS EXPECTED TO TESTIFY.

ORDERED: Petition to Amend Arizona Rule of Criminal Procedure, Rule 11.4(b), to Facilitate Disclosure of Expert Opinions = ADOPTED, effective January 1, 2022.

R-21-0007
(10)

RULES 2, 12, AND 16, RULES OF PROBATE PROCEDURE

WOULD AMEND ARIZ. RS. PROBATE P. 2, 12, AND 16 TO SPECIFICALLY AUTHORIZE AND FACILITATE VIRTUAL APPEARANCES AT PROBATE PROCEEDINGS BY INTERESTED PARTIES.

ORDERED: Petition to Amend Rules 2, 12 and 16 of the Rules of Probate Procedure = ADOPTED as modified, effective January 1, 2022.

MINUTES

No. 7527

En Banc

Arizona Supreme Court

Tuesday, August 24, 2021

R-21-0013

(11)

RULE 34(f)(4), RULES OF THE SUPREME COURT

WOULD ABROGATE ARIZ. SUP. CT. RULE 34(F)(4), WHICH SAYS THAT A LAWYER LICENSED IN ANOTHER JURISDICTION IS NOT ELIGIBLE FOR ADMISSION ON MOTION IF THE LAWYER HAS FAILED AN ARIZONA BAR EXAMINATION OR HAS PASSED THE UNIFORM BAR EXAMINATION IN ANOTHER JURISDISDICTION.

ORDERED: Petition to Amend Rule 34(f)(4) A.R.S. Supreme Court Rules = ADOPTED as modified, effective January 1, 2022.

R-21-0017

(12)

RULES 34(f) and (h), RULES OF THE SUPREME COURT

WOULD AMEND SUP. CT. RULE 34(F) AND (H) TO ADDRESS APPLICANTS FOR ADMISSION ON MOTION WHO CHOSE NOT TO CONTINUE ADMISSION IN OTHER JURISDICTIONS AND RESIGNED IN GOOD FAITH.

ORDERED: Petition to Amend Rule 34, Rules of the Supreme Court of Arizona = ADOPTED, effective January 1, 2022.

MINUTES

No. 7527

En Banc

Arizona Supreme Court

Tuesday, August 24, 2021

R-19-0047
(13)

RULE 35, RULES OF PROTECTIVE ORDER PROCEDURE

WOULD AMEND ARIZ. RULE OF PROTECTIVE ORDER PROCEDURE 35 TO FORBID COURTS ISSUING INJUNCTIONS AGAINST HARASSMENT ORDERS FROM INCLUDING MINOR CHILDREN IF IT WOULD OR MAY IMPACT A FAMILY COURT ORDER OR ACTION INVOLVING THE SAME CHILDREN.

ORDERED: Petition to Amend Rules of Protective Order Procedure 35 = DENIED.

R-20-0040
(14)

RULE 56 (c)(3), RULES OF CIVIL PROCEDURE

WOULD AMEND CIVIL PROCEDURE RULE 56(C)(3) TO PERMIT A COURT TO DIRECT THE PARTIES NOT FILE TO A SEPARATE STATEMENT OF UNDISPUTED FACTS.

ORDERED: Petition to Amend Arizona Rule of Civil Procedure 56 = DENIED.

R-21-0003
(15)

RULE 35, RULES OF PROT ORDER & 91.6 AND 91.7 ARFLP

WOULD AMEND RULE 35 OF THE ARIZ. R. PROT. ORDER P. AND RULES 91.6 AND 91.7 OF THE ARIZ. R. FAM. L. P. TO ADOPT PROVISIONS GOVERNING HARASSMENT INJUNCTIONS.

ORDERED: Petition to Amend Rule 35 of Arizona Rules of Protective Order Procedure and Rules 91.6 and 91.7 of Arizona Rules of Family Law Procedure = ADOPTED as modified, effective January 1, 2022.

MINUTES

No. 7527

En Banc

Arizona Supreme Court
Tuesday, August 24, 2021

R-21-0005
(16)

RULES OF COURT PROCEDURE FOR CIVIL TRAFFIC

TO HELP IMPLEMENT PROPOSITION 207, WOULD AMEND THE ARIZ. RS. CT. P. FOR CIV. TRAFFIC AND CIV. BOATING VIOLATIONS TO INCORPORATE PROCEDURES GOVERNING CIVIL MARIJUANA VIOLATIONS.

ORDERED: Petition to Amend the Rules of Court Procedure for Civil Traffic and Civil Boating Violations = ADOPTED as modified.

FURTHER ORDERED: The amendments to Rule 10, Forms 1, 7, 8, and 11 of the Rules of Court Procedure for Civil Traffic and Civil Boating Violations, including the amendments that were adopted on an emergency basis by the Court in its order to Rule Petition R-21-0033, are effective September 29, 2021.

FURTHER ORDERED: The amendments to other rules (Rules 1-9, 10.1, 10.2, 11-37, 46 and Forms 2-6, 9-10) are effective January 1, 2022.

R-21-0014
(17)

RULE 37(b), RULES OF FAMILY LAW PROCEDURE

WOULD AMEND ARIZ. R. FAM. L. P. 37 TO INCLUDE “INCAPACITATED” PERSONS AS WELL AS “INCOMPETENT” PERSONS AND WOULD ADOPT A NEW RULE 37.1 TO CREATE A PROCEDURE TO PROTECT AN INCAPACITATED PARTY AND THE MARITAL COMMUNITY.

ORDERED: Petition to Amend Rule 37(b) of the Arizona Rules of Family Law Procedure and Add New Rule 37.1 = DENIED.

MINUTES

No. 7527

En Banc

Arizona Supreme Court
Tuesday, August 24, 2021

R-21-0015
(18)

RULES 75 THROUGH 80, RULES OF THE SUPREME COURT

WOULD AMEND SUP. CT. RULES 75 THROUGH 80 TO CLARIFY AND IMPROVE THE RULES PERTAINING TO THE UNAUTHORIZED PRACTICE OF LAW IN ARIZONA.

ORDERED: Petition to Amend Rules 75 Through 80, Arizona Rules of the Supreme Court = ADOPTED, effective January 1, 2022.

R-21-0019
(19)

RULE 76.1 (b)(2) AND (c), RULES OF FAMILY LAW

WOULD AMEND ARIZ. R. FAM. L. P. 76(B) AND (C) TO REQUIRE A NOTICE OF ISSUES TO BE FILED 20 DAYS BEFORE TRIAL AND A PRETRIAL STATEMENT TO BE FILED 5 DAYS BEFORE TRIAL, AND TO PROVIDE PROCEDURES AND DEADLINES FOR PREPARING A PRETRIAL STATEMENT.

ORDERED: Petition to Amend Rule 76.1(b)(2) and (c) of the Arizona Rules of Family Law Procedure = DENIED.

R-21-0025
(20)

RULE 22.1, RULES OF FAMILY LAW PROCEDURE

WOULD ADOPT A NEW RULE 22.1 TO THE FAMILY LAW RULES TO GOVERN THE MARKING OF EXHIBITS AT HEARINGS AND AT TRIAL.

ORDERED: Petition to Add New Rule 22.1 to the Arizona Rules of Family Law Procedure = DENIED.

MINUTES

No. 7527

En Banc

Arizona Supreme Court

Tuesday, August 24, 2021

R-21-0027
(21)

RULE 64(f)(1)(B), RULES OF THE SUPREME COURT

WOULD AMEND SUP. CT. RULE 64(F)(1)(B) TO PROVIDE FOR REINSTATEMENT TO THE BAR BY APPLICANTS WHO WERE NOT PREVIOUSLY SUSPENDED OR DISBARRED.

ORDERED: Emergency Adoption Requested = GRANTED.

FURTHER ORDERED: Petition to Amend Rule 64(f)(1)(B) = ADOPTED on an emergency basis as modified, effective immediately.

FURTHER ORDERED: The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.

R-21-0032
(22)

RULES 3, 36, 37, AND 37, RULES OF FAMILY LAW

WOULD ADOPT A NEW RULE 37.1 OF THE ARIZONA RULES OF FAMILY LAW PROCEDURE TO CREATE A PROCEDURE FOR THE APPOINTMENT OF A GUARDIAN AD LITEM IN FAMILY LAW PROCEEDINGS IF THE COURT HAS REASON TO BELIEVE THAT ONE OF THE PARTIES IS INCAPACITATED OR IS AN ADULT.

ORDERED: Emergency Adoption Requested = GRANTED.

FURTHER ORDERED: Petition to Amend Rules 3, 36, and 37, and to Propose New Rule 37.1, Rules of Family Law Procedure = ADOPTED on an emergency basis as modified, effective September 29, 2021.

FURTHER ORDERED: The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.

MINUTES

No. 7527

En Banc

Arizona Supreme Court
Tuesday, August 24, 2021

R-21-0034
(23)

RULES 2, 8, 13, 32, 33, 34, 53, RULES OF PROBATE

WOULD AMEND RULES 2, 8, 13, 32, 33, 34, AND 53 OF THE ARIZONA RULES OF PROBATE PROCEDURE TO CONFORM THE RULES TO A RECENT STATUTORY ENACTMENT AUTHORIZING A COURT IN A PROBATE MATTER TO APPOINT A GUARDIAN AD LITEM FOR A MINOR, INCAPACITATED PERSON, UNBORN OR UNASCERTAINED PERSON, OR A PERSON WHOSE IDENTIFY OR LOCATION IS UNKNOWN.

ORDERED: Emergency Adoption Requested = GRANTED.

FURTHER ORDERED: Petition to Amend Rules 2, 8, 13, 32, 33, 34, and 53, Rules of Probate Procedure = ADOPTED on an emergency basis as modified, effective September 29, 2021.

FURTHER ORDERED: The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.

R-21-0036
(24)

RULES 94 & 102, RULES OF PROCEDURE JUVENILE COURT

WOULD AMEND RULES 94 AND 102 OF THE ARIZONA RULES OF PROCEDURE FOR THE JUVENILE COURT TO CONFORM THE RULES TO A RECENT STATUTORY ENACTMENT REGARDING THE SHOWING A MINOR MUST MAKE TO QUALIFY FOR EMANCIPATION.

ORDERED: Emergency Adoption Requested = GRANTED.

FURTHER ORDERED: Petition to Amend Rules 94 and 102 of the Rules of Procedure of the Juvenile Court = ADOPTED on an emergency basis, effective September 29, 2021.

FURTHER ORDERED: The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.

MINUTES

No. 7527

En Banc

Arizona Supreme Court
Tuesday, August 24, 2021

R-21-0037
(25)

RULE 83, RULES OF PROCEDURE FOR THE JUVENILE COURT

WOULD AMEND RULE 83(A)(8) OF THE ARIZONA RULES OF PROCEDURE FOR THE JUVENILE COURT, WHICH CONCERNS THE DOCUMENTS THAT MUST BE SUBMITTED TO A COURT TO FINALIZE AN ADOPTION, TO CONFORM TO A RECENT STATUTORY ENACTMENT.

ORDERED: Emergency Adoption Requested = GRANTED.

FURTHER ORDERED: Petition to Amend Rule 83, Rules of Procedure for the Juvenile Court = ADOPTED on an emergency basis, effective September 29, 2021.

FURTHER ORDERED: The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.

R-21-0038
(26)

RULES 10, 38, 40, 62, 64, 65 RULES JUVENILE COURT

WOULD AMEND RULES 10, 28, 40, 62, 64, AND 65 OF THE ARIZONA RULES OF PROCEDURE FOR THE JUVENILE COURT REGARDING THE APPOINTMENT OF COUNSEL AND GUARDIANS AD LITEM FOR CERTAIN JUVENILE PROCEEDINGS TO CONFORM THE RULES TO A RECENT STATUTORY ENACTMENT.

ORDERED: Emergency Adoption Requested = GRANTED.

FURTHER ORDERED: Petition to Amend Rules, 10, 38, 40, 62, 64, and 65 of the Rules of Procedure for the Juvenile Court = ADOPTED on an emergency basis, effective September 29, 2021.

FURTHER ORDERED: The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.

MINUTES

No. 7527

En Banc

Arizona Supreme Court
Tuesday, August 24, 2021

R-20-0013
(27)

VARIOUS RULES RE VERBATIM RECORD

ORDERED: Amended Petition (to Amend Various Rules of Procedure Related to Creating the Verbatim Record of Judicial Proceedings) = CONTINUED until further order of this Court.

R-20-0044
(28)

RULES OF JUVENILE COURT/AMEND CIVIL RULE 81.1

WOULD ABROGATE THE CURRENT JUVENILE COURT RULES AND REPLACE THEM WITH A NEW SET OF RULES, ADOPT ON AN EMERGENCY AND INTERIM BASIS JUVENILE COURT RULE 52.1, AMEND CIVIL PROCEDURE RULE 81.1, AND ADOPT SEVEN RECOMMENDED FORMS.

ORDERED: Petition to Amend the Rules of Procedure for the Juvenile Court, and to Amend Civil Rule 81 = ADOPTED a new Rule 52.1 of the Rules of Procedure for the Juvenile Court, as modified, effective September 1, 2021.

R-21-0006
(29)

VARIOUS RULES OF PROCEDURE PEREMPTORY CHANGE

WOULD ABROGATE THE RULES AUTHORIZING A CHANGE OF JUDGE AS MATTER OF RIGHT THAT ARE FOUND IN THE CRIMINAL, CIVIL, FAMILY LAW, EVICTION, AND JUSTICE COURT PROCEDURAL RULES, AND WOULD AMEND OR ABROGATE RELATED PROVISIONS IN THOSE OR OTHER RULES.

ORDERED: Petition to Amend Various Rules of Procedure Related to the Peremptory Change of Judge = DENIED.

MINUTES

No. 7527

En Banc

Arizona Supreme Court
Tuesday, August 24, 2021

R-21-0008
(30)

RULE 24, JURY SELECTION

WOULD ADOPT A NEW ARIZ. R. SUP. CT. 24 TO REGULATE THE USE OF PEREMPTORY CHALLENGES TO PREVENT THE UNFAIR EXCLUSION OF POTENTIAL JURORS BASED ON RACE, SEX, GENDER, RELIGION, NATIONAL ORIGIN, ETHNICITY, DISABILITY, AGE, OR SEXUAL ORIENTATION.

ORDERED: Petition to Amend the Rules of the Supreme Court of Arizona to Adopt Proposed Rule 24-- Jury Selection = DENIED.

R-21-0011
(31)

RULE 68, RULES OF CIVIL PROCEDURE

WOULD AMEND ARIZ. CIV. P. R. 68 TO OFFER OF JUDGMENT RULE TO MODIFY THE SANCTIONS AVAILABLE IF A JUDGMENT IS LESS (OR MORE) THAN AN OFFER AND TO EXEMPT FROM THE RULE ACTIONS WHERE ONLY INJUNCTIVE RELIEF IS SOUGHT.

ORDERED: Petition to Amend Rule 68 of the Arizona Rules of Civil Procedure = ADOPTED as modified, effective January 1, 2022.

FURTHER ORDERED: The amendments shall apply only to offers of judgment served on or after January 1, 2022, and not to offers of judgment served before that date.

MINUTES

No. 7527

En Banc

Arizona Supreme Court
Tuesday, August 24, 2021

R-21-0016
(32)

RULE 45(a)(2), RULES OF THE SUPREME COURT

WOULD AMEND SUP. CT. RULE 45(A)(2) TO REQUIRE ACTIVE ATTORNEYS, NOT OTHERWISE EXEMPT, TO DEDICATE ONE HOUR OF CLE TO TRAINING ON DIVERSITY AND INCLUSION AS PART OF THE THREE HOURS OF PROFESSIONAL RESPONSIBILITY MANDATORY CLE FOR EACH EDUCATIONAL YEAR.

ORDERED: Petition to Amend Rule 45(a)2 of the Arizona Rules of the Supreme Court = DENIED. A separate order will follow.

R-21-0020
(33)

RULES 18.4 AND 18.5, RULES OF CRIMINAL PROCEDURE

WOULD AMEND ARIZ. R. CRIM. P. 18.4 AND 18.5, AND ARIZ. R. CIV. P. 47(E) BY ELIMINATING PEREMPTORY CHALLENGES IN JURY SELECTION.

ORDERED: Petition to Amend Rules 18.4 and 18.5 of the Arizona Rules of Criminal Procedure and Rule 47(e) of the Arizona Rules of Civil Procedure = ADOPTED as modified, effective January 1, 2022.

FURTHER ORDERED: This order shall apply to any case in which the first day of jury selection occurs after January 1, 2022.

FURTHER ORDERED: In light of this rule amendment, the Task Force on Jury Data Collection, Practices, and Procedures is requested to consider whether Rules of Civil Procedure Rule 47(c)(3)(Extent of Voir Dire) and Rules of Criminal Procedure Rule 18.5(d) (Voir Dire Examination) and (e) (Scope of Examination) should be expanded or otherwise modified with respect to for-cause challenges to accommodate the abolition of peremptory strikes. The Task Force shall propose any needed revisions by November 1, 2021.

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No. 7527

En Banc

Arizona Supreme Court

Tuesday, August 24, 2021

R-21-0021

(34)

RULES 4.1 AND 4.2, RULES OF CIVIL PROCEDURE

WOULD AMEND ARIZ. RS. CIV. P. 4.1 AND 4.2 TO CLARIFY AND MODIFY THE EXISTING RULES REGARDING SERVICE BY PUBLICATION.

ORDERED: Petition to Amend Rules 4.1 and 4.2 of the Arizona Rules of Civil Procedure = ADOPTED as modified, effective January 1, 2022.

R-21-0022

(35)

RULES 6.1, 7.2, AND 7.4, CRIMINAL PROCEDURE

WOULD AMEND ARIZ. RS. CRIM. P. 4.2, 6.1, 6.5, 6.6, 7.2, AND 7.4 TO MODIFY BAIL AND RELEASE PROVISIONS TO BETTER ENSURE THAT CASH BONDS DO NOT CAUSE UNNECESSARY PRETRIAL DETENTIONS.

ORDERED: Petition to Amend Rules 6.1, 7.2, and 7.4, Arizona Rules of Criminal Procedure = ADOPTED as modified, effective January 1, 2022.

MINUTES

No. 7527

En Banc

Arizona Supreme Court
Tuesday, August 24, 2021

R-21-0029
(36)

RULES OF CRIMINAL PROCEDURE

WOULD AMEND VARIOUS CRIMINAL PROCEDURE RULES TO CONFORM TO STATUTORY CHANGES ENACTED IN THE LAST LEGISLATIVE SESSION.

ORDERED: Emergency Adoption Requested = GRANTED.

FURTHER ORDERED: Petition to Amend Rules 4.1, 7.6, 11.3, 26.10, 29.3, 29.7, and 41 of the Rules of Criminal Procedure = ADOPTED on an emergency basis as modified.

FURTHER ORDERED: The amendments to Rules 4.1, 11.3, 26.10, 29.2, 29.3, 29.7, and 41 (Form 31(b)) of the Rules of Criminal Procedure are effective September 29, 2021.

FURTHER ORDERED: The amendments to Rule 7.6 of the Rules of Criminal Procedure are effective January 1, 2022.

FURTHER ORDERED: The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.

R-21-0023
(37)

RULE 36, RULES OF CRIMINAL PROCEDURE

WOULD ADOPT A NEW ARIZ. R. CRIM. P. 36 PROVIDING A PROCEDURE FOR EXPUNGING PAST CONVICTIONS FOR CERTAIN MARIJUANA-RELATED OFFENSES.

ORDERED: Emergency Adoption Requested = GRANTED.

FURTHER ORDERED: Petition to Adopt Rule 36, Rules of Criminal Procedure = ADOPTED on a permanent basis as modified, effective January 1, 2022.

MINUTES

No. 7527

En Banc

Arizona Supreme Court
Tuesday, August 24, 2021

R-21-0024
(38)

RULE 14.3, RULES OF CRIMINAL PROCEDURE

WOULD AMEND ARIZ. R. CRIM. P. 14.3 TO PERMIT LIMITED JURISDICTION COURTS TO CONDUCT ARRAIGNMENTS BY TELEPHONE IF THE OFFENSE IS A MISDEMEANOR OR CIVIL TRAFFIC VIOLATION.

ORDERED: Petition to Amend Rule 14.3, Rules of Criminal Procedure = ADOPTED as modified, effective January 1, 2022.

R-21-0031
(39)

RULES 3, 32, 34 AND 42 RULES OF PROTECTIVE ORDER

WOULD AMEND RULES 3, 32, 34, AND 42 OF THE ARIZ. RS OF PROTECTIVE ORDER P. TO REFLECT RECENT STATUTORY CHANGES.

ORDERED: Emergency Adoption Requested = GRANTED.

FURTHER ORDERED: Petition to Amend Rules 3, 32, 34, and 42 of the Arizona Rules of Protective Order Procedure = ADOPTED on an emergency basis as modified, effective September 29, 2021.

FURTHER ORDERED: The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.

MINUTES

No. 7527

En Banc

Arizona Supreme Court

Tuesday, August 24, 2021

R-21-0033
(40)

RULES 10, 24.1 & FORMS 1, 7, 8, 11, CIVIL TRAFFIC

WOULD AMEND RULES 10 AND 24.1 OF THE ARIZONA RULES OF COURT PROCEDURE FOR CIVIL TRAFFIC AND CIVIL BOATING VIOLATIONS, AND CERTAIN FORMS, TO CONFORM THE RULES AND FORMS TO RECENT STATUTORY ENACTMENTS.

ORDERED: Emergency Adoption Requested = GRANTED.

FURTHER ORDERED: Petition to Amend Rules 10 and 24.1, and Forms 1, 7, 8, and 11 of the Arizona Rules of Court Procedure for Civil Traffic and Civil Boating Violations = ADOPTED on an emergency basis as modified, effective September 29, 2021.

FURTHER ORDERED: The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.

MINUTES

No. 7527

En Banc

Arizona Supreme Court
Tuesday, August 24, 2021

R-21-0039
(41)

RULES 5, 6, 11 RULES OF PROC. EVICTION ACTIONS

WOULD AMEND RULES 5, 6, AND 11 OF THE ARIZONA RULES OF EVICTION PROCEDURE, AND APPENDIX A TO THOSE RULES, TO CONFORM THE RULES AND APPENDIX TO A RECENT STATUTORY ENACTMENT PERMITTING A PARTY, ATTORNEY, OR WITNESS TO APPEAR REMOTELY AT AN INITIAL APPEARANCE OF A SPECIAL DETAINER OR FORCIBLE DETAINER PROCEEDING USING A TELEPHONE OR VIDEO CONFERENCE CONNECTION.

ORDERED: Emergency Adoption Requested = GRANTED.

FURTHER ORDERED: Petition to Amend Rules 5, 6, and 11 and Appendix A of the Arizona Rules of Procedure for Eviction Actions = ADOPTED on an emergency basis, effective September 29, 2021.

FURTHER ORDERED: The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.



The foregoing action was taken by the Arizona Supreme Court on Tuesday, August 24, 2021.

_____/s/_____
Robert Brutinel, Chief Justice

Date: 8/31/2021